

REMARKS

In response to the above-identified Office Action, Applicant traverses the Examiner's rejection of the claims and seeks reconsideration thereof. Claims 1-16 are pending in the present application. Claims 4, 5 and 8-16 are withdrawn. In this response, no claims are amended, claim 17 is added and claims 8-12 are cancelled.

I. New Claim

In the instant response, claim 17 is added to recite the elements of "a photostimulatable unit; a housing to securely hold the photostimulatable unit; and a cover movably coupled to the housing to move between a first position concealing the photostimulatable unit and a second position revealing the photostimulatable unit while the photostimulatable unit resides within the housing." Support for new claim 17 may be found, for example, on page 4, paragraph [0013] and page 9, paragraph [0028] of the application. For at least the foregoing reasons, new claim 17 is supported by the specification and does not add new matter. Applicant respectfully requests consideration and entry of new claim 17.

II. Claim Rejections – 35 U.S.C. §102

In the outstanding Office Action, claims 1-3 and 6 are rejected under 35 U.S.C. §102(b) as being anticipated by U. S. Patent No. 5,861,631 issued to Wendlandt et al ("Wendlandt"). Applicant respectfully traverses the rejection.

Applicant respectfully submits, Wendlandt fails to teach at least the elements of "a housing to securely hold the photostimulatable unit" and "a cover movably coupled to the housing to move between a first position concealing the photostimulatable unit and a second position revealing the photostimulatable unit" as recited in claim 1.

The Examiner alleges element 10 of Wendlandt teaches a housing to securely hold a photostimulatable unit 32 and element 26 teaches a sliding panel movably coupled to the housing to move between a first position concealing the photostimulatable unit and a second position revealing the unit. See Office Action, page 2. Applicant respectfully disagrees with the Examiner's characterization.

Applicant respectfully submits, element 10 does not “securely hold the photostimulable unit” as recited in claim 1. Instead, element 10 is a cassette including a shell 12 having upper and lower panels 14 and 16. See Wendlandt, Figure 1. As admitted by the Examiner element 26 slides in and out of cassette 10. See Action, page 2. Element 26 refers to an assembly including an insert plate 30 with storage phosphor 32 disposed on a surface of it. See Wendlandt, col. 2, lines 40-68. Thus, element 26 is the computed radiography plate. Applicant respectfully submits, a cassette 10 which allows plate 26 to slide in and out does not “securely hold” the plate as is required by claim 1. Thus, for at least these reasons, Wendlandt fails to teach at least this element of claim 1.

Moreover, a phosphor covered plate inserted within a shell is not a “cover,” much less “a cover movably coupled to the housing to move between a first position concealing the photostimulatable unit and a second position revealing the photostimulatable unit.” If the Examiner chooses to maintain the rejection of claim 1 on this basis, Applicant respectfully requests the Examiner particularly point out where within the reference this element is taught.

For at least the foregoing reasons, the Examiner has not shown that Wendlandt teaches each and every element of claim 1. Since each element of claim 1 is not found within the reference, anticipation may not be established. Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 1 under 35 U.S.C. §102 as being anticipated by Wendlandt.

In regard to claims 2, 3 and 6, these claims depend from claim 1 and incorporate the limitations thereof. Thus, for at least the reasons that claim 1 is not anticipated by Wendlandt, claims 2, 3 and 6 are further not anticipated by Wendlandt. Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 2, 3 and 6 under 35 U.S.C. §102 as being anticipated by Wendlandt.

Moreover, in regard to new claim 17, claim 17 recites, among others, the elements of “a housing to securely hold the photostimulable unit” and “a cover movably coupled to the housing to move between a first position concealing the photostimulatable unit and a second position revealing the photostimulatable unit while the photostimulatable unit resides within the housing”

(emphasis added). As previously discussed, the phosphor covered plate 26 in Wendlant slides in and out of cassette 10 and may only be revealed by sliding it outside of cassette 10. Thus for at least the foregoing reasons, Wendlant fails to teach at least these elements of new claim 17.

III. Claim Rejections – 35 U.S.C. §103

In the outstanding Office Action, claim 7 is rejected under 35 U.S.C. §103(a) as being unpatentable over Wendlant as applied to claim 3 above, and further in view of U. S. Publication No. 2004/0124368 issued to Struye et al ("Struye"). Applicant respectfully traverses the rejection.

In regard to claim 7, claim 7 depends from claim 1 and incorporates the limitations thereof. Thus, for at least the reasons previously discussed in regard to claim 1, Wendlant fails to teach or suggest at least the elements of “a housing to securely hold the photostimulable unit” and “a cover movably coupled to the housing to move between a first position concealing the photostimulatable unit and a second position revealing the photostimulatable unit” as further found in claim 7. The Examiner has further not pointed to, and Applicant is unable to discern, a portion of Struye curing the deficiencies of Wendlant with respect to at least this element. Thus, for at least the foregoing reasons, the Examiner has not established that claim 7 is *prima facie* obvious over Wendlant in view of Struye. Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 7 under 35 U.S.C. §103 as being obvious over Wendlant in view of Struye.

Moreover, in regard to new claim 17, for at least the reasons that Struye further fails to cure the deficiencies of Wendlant with respect to the element of “a cover movably coupled to the housing to move between a first position concealing the photostimulatable unit and a second position revealing the photostimulatable unit while the photostimulatable unit resides within the housing,” claim 17 is not *prima facie* obvious over the combination of Wendlant and Struye.

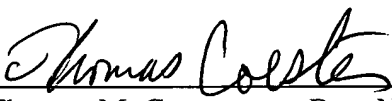
CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely claims 1-7 and 13-16, are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. Questions regarding this matter should be directed to the undersigned at (310) 207-3800.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

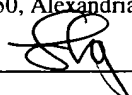
Dated: December 11, 2006

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail with sufficient postage in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on December 11, 2006.


Si Vuong